

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE CARDENAS,

Plaintiff,

vs.

KURT OVERALL, *et al.*,

Defendants.

2:12-cv-01517-GMN-GWF

ORDER

This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by an inmate. Plaintiff has submitted a complaint and seeks leave to proceed *in forma pauperis*. (ECF No. 1). In addition to filing the proper affidavit of inability to pay filing fees, a prisoner seeking to proceed *in forma pauperis* “shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint . . . obtained from the appropriate official of each prison at which the prisoner is or was confined.” 28 U.S.C. § 1915(a)(1), (2). Plaintiff in the instant action has failed to submit an *in forma pauperis* application that provides the necessary financial information and includes a certified copy of the trust fund account statement (or institutional equivalent) for the 6-month period immediately preceding the filing of the complaint.

1 **IT IS THEREFORE ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**
2 to the filing of a new complaint in a new action, with a proper *in forma pauperis* application in
3 compliance with 28 U.S.C. § 1915(a).

4 **IT FURTHER IS ORDERED** that the Clerk of the Court shall send plaintiff two copies of an
5 *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two copies
6 of a blank 42 U.S.C. § 1983 prisoner civil rights form, and one copy of instructions for the same.

7 **IT IS FURTHER ORDERED** that plaintiff may file a new complaint and *in forma pauperis*
8 application in a new action, but he may not file further documents in this action.

9 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

10 Dated this 16th day of November, 2012.

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14 GLORIA M. NAVARRO
15 UNITED STATES DISTRICT JUDGE
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